IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION. 49 OF 2006

Pratap Vijaysingh Padode.... Applicant

versus

The State of Maharashtra & ors. ... Respondents.

Shri Nankani i/b Nankani & Associates for the appellant.
Shri S.S. Tatkare APP for State.

CORAM; V.M. KANADE, J.

DATED; JANUARY 27, 2006.

P.C:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. By this appalication the applaicant seeks return of his passport permanently with permission that he may be permitted to travel abroad as and when he deems fit and proper for the purpose of his business and if this permission is not granted, in the alternative, he seeks permsision to travel abroad as per the itinerary provided by him in the application and more particularly in prayer clause (b) of the said application.

3. So far as the first prayer is concerned, it is not possible to grant said request as the proceedings are still pending. However, though the MPID Act was struck down by the Division Bench of this Court, the same order has been challenged in the Supreme Court of India and the Supreme Court has specifically directed by way of interim order that the proceedings in respect of cases, which are already filed shall remain pending.

4. However, so far as the second prayer is concerned, his prayer for permission to travel abroad as per the itinerary provided in paragraph 14(b) is granted. The respondent shall accordingly return the passport for the limitted purpose of travelling abroad as per the itinerary provided in para 14(b).

5. The application is accordingly allowed in terms of prayer clause 14(b). Application is disposed of accordingly.

6. Parties to act on the authenticated copy of this order.

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